

CHAPTER NO. 390

SENATE BILL NO. 1318

By Graves

Substituted for: House Bill No. 1719

By Lois DeBerry

AN ACT To amend Tennessee Code Annotated, Title 36 and Title 37, relative to foster care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 5, Part 3, is amended by adding a new Section 37-5-317 as follows:

Section 37-5-317.

(a) Notwithstanding any provisions of law to the contrary, including Tennessee Code Annotated, Section 8-30-309, and recognizing the years of faithful and dedicated service to the state of Tennessee by the employees of the community services agencies, community services agency employees who serve in jobs that would be classified as career service as defined in Tennessee Code Annotated, Section 8-30-208, had they been employed in the State Service, and whose functions and positions are transferred to the Department of Children's Services by the commissioner on or before July 1, 2002 for the purpose of separating and standardizing department and community services agencies functions, shall be transferred into the Department of Children's Services and shall receive the benefits and protection of career service status and shall be eligible for participation in the state health insurance plan upon passage of this act without further examination or competition.

(b) No employee so transferred shall be subject to the provisions of Tennessee Code Annotated, Sections 8-30-312 through 8-30-314 as a result of this transfer if such employee has worked for the community services agencies for a length of time equal to the probationary period applying to the equivalent civil service position and, if not, the employee shall complete the probationary period after their transfer to the Department of Children's Services.

(c) All such transfers shall take place no later than July 1, 2002.

(d) Transfers of employees from the community services agencies to the Department of Children's Services pursuant to this chapter shall not result in any diminution, impairment or interruption of current salary, accrued sick and annual leave, seniority, participation in the Tennessee consolidated retirement system, or amounts already accrued under a deferred compensation plan, however this shall not impair the department's authority, through establishing policies and procedures, to correct salary disparities.

(e) Any employee so transferred shall be eligible for promotion pursuant to the provisions of Title 8, Chapter 30 after the transfer takes effect.

(f) This section shall not apply to county or metropolitan government employees providing services for the community service agencies pursuant to Tennessee Code Annotated, Section 37-5-304(e).

SECTION 2. Tennessee Code Annotated, Section 37-5-304, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) The commissioner may establish multi-county community service agencies combining rural areas of the state coterminous with the boundary lines of the rural regions of the department established by the commissioner and urban regions set forth in subsection (b).

SECTION 3. Tennessee Code Annotated, Section 37-5-307(2), is amended by deleting the language "§11" and by substituting instead the language "§37-5-310".

SECTION 4. Tennessee Code Annotated, Section 37-5-308, is amended by deleting the language "§11" and by substituting instead the language "§37-5-310".

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 14, 2001


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of June 2001


DON SUNDQUIST, GOVERNOR